

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff(s),)	
)	2:10-cr-121-RLH-RJJ
vs.)	
)	MINUTES OF THE COURT
BRETT DEPUE,)	
)	February 16, 2012
Defendant(s).)	
_____)	

THE HONORABLE ROGER L. HUNT UNITED STATES DISTRICT JUDGE
COURTROOM ADMINISTRATOR KANDY CAPOZZI COURT REPORTER HEATHER NEWMAN
COUNSEL FOR PLAINTIFF(S) BRIAN PUGH; SARAH GRISWOLD

COUNSEL FOR DEFENDANT(S) BRETT DEPUE (pro se); MACE YAMPOLSKY (standby)

MINUTES OF PROCEEDINGS: **JURY TRIAL (Day Nine - Deliberations)**

A jury note is received.

The Court convenes at 10:00 a.m. Defendant is present. FBI agent Steven Konrad is present with the Government.

OUTSIDE THE PRESENCE OF THE JURY: The note and a response are discussed. A second jury note is received, read and discussed.

The jury enters at 10:24 a.m.

The Court responds to the questions contained in the two notes.

The Court recesses at 10:28 a.m.

Another jury note is received and the Court reconvenes at 11:48 a.m.

The note is discussed.

The jury enters at 11:55 a.m.

The Court canvasses the foreperson and the Courtroom Administrator polls the jury.

The Court finds the jury is hopelessly deadlocked and declares a mistrial.

The jurors are thanked and excused.

The exhibits will be returned to respective parties.

The jury is excused at 12:02 p.m.

Mr. Depue informs the Court that he wishes to represent himself during the retrial and also wishes to keep Mr. Yampolsky as standby counsel.

IT IS HEREBY ORDERED the retrial in this matter is scheduled to commence MONDAY, FEBRUARY 27, 2012 at 9:00 a.m. Any additional *voir dire* questions or proposed jury instructions shall be submitted no later than February 22, 2012.

Mr. Depue requests all service to him be made through Mr. Yampolsky.

The Court adjourns at 12:10 p.m.

LANCE S. WILSON, CLERK
U.S. DISTRICT COURT

BY: /s/ Kandy Capozzi
Courtroom Administrator